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January 16, 2020

**BY ECF**

Honorable Katharine H. Parker  
United States Magistrate Judge  
Southern District of New York  
500 Pearl Street  
New York, NY 10007

**MEMO ENDORSED**

Re: Ian-Carlos Martinez v. City of New York, et al.,  
19 CV 9885 (AJN) (KHP)

Your Honor:

I am the Senior Counsel in the Special Federal Litigation Division of the New York City Law Department assigned to the defense of the above-referenced matter.<sup>1</sup> Defendant the City of New York writes to respectfully request an adjournment of the initial case management conference currently scheduled for February 6, 2020, at 10:00 a.m., until a future date convenient to the Court after March 6, 2020. Defendant also requests a corresponding enlargement of time to file the Proposed Case Management Plan for Pro Se Cases. This is the first request for an adjournment in this matter. Defendant attempted to contact plaintiff by phone to obtain consent, but did not receive a return call in response to our voicemail. Plaintiff will not be prejudiced by the requested adjournment, nor will it affect other deadlines in this case.

Defendant City must answer or respond to the Complaint on or before March 6, 2020.<sup>2</sup> This adjournment is requested because defendant City will not have answered plaintiff's Complaint by February 6, 2020, and thus, defendant will be in a better position to meaningfully participate in an initial case management conference after such time as the City's answer is interposed.

In the alternative, the undersigned has a conflicting conference regarding another matter in the Eastern District on February 6, 2020, at 10:30 a.m. Should the Court be inclined to hold this conference before the City responds to the Complaint, defendant requests an adjournment to another date convenient to the Court.

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<sup>1</sup> Please take further notice that this case is assigned to Assistant Corporation Counsel Jessica C. Engle, who is presently awaiting admission to the New York State Bar and is handling this matter under my supervision. Ms. Engle may be reached directly at (212) 356-0827, or [jengle@law.nyc.gov](mailto:jengle@law.nyc.gov).

<sup>2</sup> Officer Dawil Valdez has also been named as a defendant in this matter, but, upon information and belief, and according to the Civil Docket Sheet, he has not yet been served with process.

Defendant thanks the Court for its consideration of this request.

Respectfully submitted,

Carolyn K. Depoian /S/

Carolyn K. Depoian  
Senior Counsel

cc: **BY FIRST-CLASS MAIL**  
Ian-Carlos Martinez, *Plaintiff Pro Se*  
311 West 114<sup>th</sup> Street, Apt. 3B  
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**APPLICATION GRANTED:** The Initial Case Management Conference in this matter that is scheduled for Thursday, February 6, 2020 at 10:00 a.m. in Courtroom 17D, 500 Pearl Street, New York, NY 10007 is hereby rescheduled to Tuesday, March 10, 2020 at 11:30 a.m. The Parties' deadline to file the Proposed Case Management Plan for Pro se Cases is hereby extended to March 3, 2020.

**APPLICATION GRANTED**

Katharine H. Parker

**Hon. Katharine H. Parker, U.S.M.J.**

01/17/2020